

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	M.B.D. Case No. 21-91529-ADB
)	
JAMMY ALPHONSE,)	
)	
Defendant.)	

ASSENTED-TO MOTION FOR ENDS-OF-JUSTICE CONTINUANCE
OF TIME FOR FILING AN INDICTMENT OR INFORMATION,
AND EXCLUSION OF TIME,
UNDER THE SPEEDY TRIAL ACT

The United States of America, by and through Assistant United States Attorney J. Mackenzie Duane, respectfully moves this Court to grant a continuance of the time within which an indictment or information must be filed, and exclude the time period from September 6, 2021, through and including October 21, 2021 (45 days), from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interest of the public and the defendant in a speedy trial. The parties further ask this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the parties state as follows:

1. The defendant was charged by criminal complaint in *United States v. Jammy Alphonse*, Case No. 21-MJ-07192-JCB, with being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g). On August 6, 2021, the defendant was arrested and made his initial appearance in the District of Massachusetts. The Defendant was subsequently ordered detained.

2. The parties plan to engage in preliminary discussions regarding the potential charges to be included in an information or indictment and the possible resolution of this matter. The parties require additional time to have this discussion. The requested exclusion of time will permit the parties to confer, and will permit defense counsel to adequately confer with the defendant, before the United States is required to seek an indictment. The parties expect that such discussions are likely to further the interests of justice and promote judicial efficiency.

3. The parties agree that, if the requested time is excluded, the government has until October 21, 2021 to return an indictment in this case. No previous extensions have been requested.

4. The defendant, through his counsel, has assented to this motion.

5. A proposed order is attached.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By: /s/ J. Mackenzie Duane
J. Mackenzie Duane
Assistant U.S. Attorney

Certificate of Service

I hereby certify that this document shall be served via email to counsel for the defendant, Brendan Kelley.

By: /s/ J. Mackenzie Duane
J. Mackenzie Duane
Assistant U.S. Attorney